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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/808,661	03/25/2004	Edward D. Krent	133047-0001	6113

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EXAMINER

COLLADO, CYNTHIA FRANCISCA

ART UNIT	PAPER NUMBER
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3618

DATE MAILED: 09/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/808,661

Applicant(s)

KRENT, EDWARD D.

Examiner

Cynthia F. Collado

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-4 and 6-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Krent (US Patent No.4, 262,919).

Regarding claim 1, Krent Teaches a first and second body segments (see figure 1B, elements 10 and 11) being interconnected by a flexible connector so that the first and second body segments can rotate with respect to each other about a first axis (see figure 1A, element 12), a pair of runners on the first body and second body segments (see figure 1B, element 14) each pair of runners including a sliding surface with opposing convex edges have a wider spacing apart in a central lengthwise region than the spacing apart at the leading end and the trailing end (see figure 3, element 14) also(see column 2, lines 38-40).

NOTE: Regarding claim 1, note that Webster's collegiate Dictionary, 10th Edition defines "Convex" as "having a surface that is curved or rounded outward".

Regarding claim 2, Krent Teaches a runner including a sloping leading end and a trailing end that each extend upwardly from the sliding surface, and

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each leading end is sloped upwardly at a shallower angle, than an angle of slope of each trailing end (see figure 1B, element 14).

Regarding claim 3, Krent Teaches a first and second body segment including a connector slot that receives a conforming end of flexible connector (see figure 2, element 12) also (see figure 1A, elements 12 and 17).

Regarding claim 4. Krent teaches a first comprising a front body segment having a raised end for deflecting snow, adjacent the raised end, a pair of hand grips (see figure 3, element 10, 25A, 25B).

Regarding claim 6, Krent teaches a front end of the second body segment including a fixedly mounted end of the flexible connector having a projecting opposing connector end that is adapted to removably interconnect to the connector slot formed in the rear end of the first segment (see figure 1A, element 19) also (see column 6, lines 58-68).

Regarding claims 7 and 8, Krent teaches the flexible connector is constructed and arranged to enable flexure along each of two perpendicular axes, the axes including a yaw axis and a roll axis with respect to a longitudinal line taken through a center of the sled (see column 5, lines 24-34), flexible connector end comprises a pair of opposing connector ends (see figure 2, elements 30A and 30B) and a web section (see figure 2, element 12) extending between the connector ends, the web section constructed and arranged to flex along the yaw axis and the roll axis (See column 2, lines 41-57).

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Regarding 9, Krent teaches a plate mounted over the connector ends securely attached to the first or second body segments in which moves freely with respect to adjoining one of the first or second body segments (see figure 1A, element 13).

Regarding claim 10, Krent teaches one of the connector ends (see figure 2, elements 30A and 30B) raised surfaces constructed and arranged to removably engage detents within the conforming connector slot (see column 3, lines 28-47).

Regarding claim 11, Krent teaches the first, second and third body segment comprising a front, central and further comprising a rear segment interconnected to the central segment by another flexible connector (see figure 5, elements 10,11 and 19).

Regarding claim 12, Krent teaches the sled defining the shape of an animal, and wherein the front segment defines a head, the central segment defines a central body portion, and the rear segment defines a tail portion of the animal (see figure 5, elements 10,11 and 19).

Regarding claim 14, Krent teaches a first and second segment (see figure 1A, elements 10 and 11), each of the first and second body segments being removably interconnected by a connector having opposing connector ends (see figure 2, elements 30A and 30B) that each attach to a connector location on each of the first and second segments and where the flexible connector includes between the connector ends, a web constructed and arranged to enable the

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connector to rotate in at least two perpendicular axes (see figure 2, element 12 and 31).

Regarding claim 15, Krent teaches the first and second body a segment including a pair of runners and each of the runners includes opposing convex edges that define a bottom-sliding surface of the runner (see figure 1B, element 14).

Regarding claim 16, Krent teaches the bottom-sliding surface of each of the runners including a metal edge member (see column 2, lines 38-40).

Regarding claim 17, Krent teaches the flexible connector including one connector end constructed and arranged to be detachable one of the first and second body segments (see figure 1A, element 15).

Regarding claim 18, Krent teaches one connector end of the opposing connector ends is constructed and arranged to slidably engage a connector slot in on of the first and second body segments (see figure 1A, element 17).

Regarding claim 19, Krent teaches the connector end and the connector slot including a portion of a locking mechanism that locks when the connector end is seated at a desired positioned within the connector (see column 2, lines 41-57).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which

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said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

5. Claims 5 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Krent (US Patent No.4, 262,919) in view of B.F.Brasch (US Patent No.3, 079,617) and further in view of Boucher et al (US Patent No.4805937).

Regarding claim 5, Krent does not teach the hand grips comprising of T-Shaped handgrips, however Brasch does teach T-shaped handgrips (see figure 1, element 17). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the sled of Krent to include a T-shaped handle grip to permit controlled steering by the user easier.

Regarding claim 13, neither Krent nor Brasch teaches the rear segment including a tail having a rattle, however Boucher does teach a rattle with a hook (see figure 1, element 54). One would be motivated to combine the rattle taught in Boucher to the tail taught in the Krent reference to provide amusement to infants and children riding on the sled.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent No. 3,705,730 issued to Bergsland teaches a coasting device.

US Patent No. 5,865,446 issued to Kobylenski et al teaches an articulated two-section snowboard.

US Patent No. 6,270,091 issued to Smith teaches an articulated two piece snowboard with connector.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cynthia F. Collado whose telephone number is (571)2728315. The examiner can normally be reached on mon-fri 8-4.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Ellis can be reached on (571)2726914. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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CP *EW*

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